



**California Regional Water Quality Control Board**  
**North Coast Region**  
**William R. Massey, Chairman**



*Linda S. Adams*  
Agency Secretary

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**Arnold**  
**Schwarzenegger**  
Governor

July 10, 2006

Ms. Terri Ely  
California Department of Boating and Waterways  
2000 Evergreen Street, Suite 100  
Sacramento, CA 95815-3888

Dear Ms. Ely:

**Subject:** Issuance of Clean Water Act Section 401 Certification (Water Quality Certification) for the California Department of Boating and Waterways, Pedrazzini Boat Launch

**File:** California Department of Boating and Waterways – Pedrazzini Boat Launch  
WDID No. 1B06018WNHU

This Order by the California Regional Water Quality Control Board, North Coast Region (Regional Water Board), is being issued pursuant to Section 401 of the Clean Water Act (33 USC 1341); in response to your request (applicant) for Water Quality Certification for the California Department of Boating and Waterways, Pedrazzini Boat located near the community of Loleta, Humboldt County. On February 23, 2006, the Regional Water Board received your application and a \$500.00 processing fee. On May 3, 2006, we posted information describing the project on the Regional Water Board's website for a 21-day public review and comment period. During the comment period, it came to our attention that the original public notice was incomplete and additional concerns arose regarding Army Corps of Engineers conditions. On June 14, 2006, we posted a revised public notice for your project on our website. We did not receive any public comments on this project.

**Project Description:** The purpose of the project is to replace the existing gravel boat launch, stabilize erosion along the bank, and make improvements to the parking lot. The applicant will replace the gravel boat ramp with a 20 x 40 foot push slab concrete ramp. Prior to installation of the ramp, the applicant will remove approximately 130 to 150 cubic yards of soil from the ramp area and replace it with 80 cubic yards of compacted gravel, in order to provide a base for the concrete ramp. The ramp will be pushed into place when the channel is low, typically in late summer. The upper 20 x 40 foot portion of the ramp and the 20 x 60 apron will be cast in place. These activities will occur during the dry season and during low flow events.

Cement wash out activities will be conducted offsite. The material removed for ramp preparation will be placed in the parking lot area along with 800 cubic yards of gravel. Vegetation will be removed

***California Environmental Protection Agency***

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from the parking lot, located approximately 25 feet from the channel. Six alder trees removed from the parking lot, measuring 6 to 16 inches in diameter, will be placed in the Eel River below the boat ramp per the Army Corps of Engineers permit (No. 299880N) and the National Oceanic Atmospheric Administration (NOAA); NOAA staff indicate that this material will benefit salmonid habitat. In order to control streambank erosion, 140 tons of riprap will be placed to armor approximately 150 feet of eroded bank immediately adjacent to the ramp. This project will not require dewatering. All equipment staging will occur in the parking lot area. The total area of impact to waters of the United States resulting from the ramp replacement is 0.09 acres. The project is estimated to begin in August 2006.

Compensatory mitigation is not required for this project. Non-compensatory mitigation measures include implementation of Best Management Practices for sediment and erosion control. All equipment staging will occur in upland areas. The project is estimated to begin in August of 2006.

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|------------------------------|--|
| Receiving Waters:            | Eel River in the Ferndale Hydrologic Subarea No. 111.11.   |
| Filled or Excavated Area:    | Area Temporarily Impacted: 0.25 acre located 25 feet from channel (parking lot area)<br><br>Area Permanently Impacted: 0.09-acre ramp installation<br>Total Area Impacted: 0.34 acre   |
| Federal Permit:              | U.S. Army Corps of Engineers Nationwide Permit 13 for <i>Bank Stabilization</i> and Nationwide Permit 36 for <i>Boat Ramps</i> .   |
| Compensatory Mitigation:     | None required for this project.  |
| Non-compensatory Mitigation: | Non-compensatory mitigation measures include implementation of Best Management Practices (BMP) to prevent or minimize impacts to Waters of the United States from construction related erosion, stormwater runoff, or accidental spills associated with equipment, as described in Section 3 of the " <i>California Stormwater Best Management Practices Handbook</i> ." |
| CEQA Compliance:             | The California Department of Boating and Waterways, as lead California Environmental Quality Act (CEQA) agency, has prepared a Notice of Exemption (Class 1, Section 15301) for <i>Existing Facilities</i> with the State Office of Planning and Research for this project.  |

Standard Conditions: Pursuant to Title 23, California Code of Regulations, Section 3860 (23 CCR 3860), the following three standard conditions shall apply to this project:

- 1) This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Section 13330 of the California Water Code and 23 CCR 3867.
- 2) This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- 3) The validity of any nondenial certification action (actions 1 and 2) shall be conditioned upon total payment of the full fee required under 23 CCR 3833, unless otherwise stated in writing by the certifying agency.

Additional Conditions: Pursuant to 23 CCR 3859(a), the applicant shall comply with the following additional conditions:

- 1) The applicant shall notify Regional Water Board staff at least five working days (working days are Monday – Friday) prior to the commencement of the project, with details regarding the schedule of operations, to allow staff the opportunity to be present onsite and to answer any public inquiries that may arise regarding the project.
- 2) A copy of this permit must be provided to all contractors and subcontractors conducting work on this project, and a copy must be in their possession at the work site. It is the applicant's responsibility to ensure that the contractor and all subcontractors are provided a copy of this permit.
- 3) Adequate Best Management Practices for sediment and turbidity control shall be implemented and in place during and after construction in order to ensure that no silt or sediment enters surface waters.
- 4) If, at any time, an unauthorized discharge to surface waters occurs, or any water quality problem arises, the project shall cease immediately and Regional Water Board staff shall be notified promptly.
- 5) No debris, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature, other than that authorized by this permit,

shall be allowed to enter into or be placed where it may be washed by rainfall into waters of the State.

- 6) The Applicant shall comply with the State Water Resources Control Board's General Permit for Storm Water Discharges Associated with Construction Activities and shall implement an adequate Storm Water Pollution Prevention Plan.
- 7) Fueling, lubrication, maintenance, storage and staging of vehicles and equipment shall be outside of waters of the United States and shall not result in a discharge or a threatened discharge to waters of the United States. At no time shall the applicant use any vehicle or equipment, which leaks any substance that may impact water quality.
- 8) Project activities shall comply with provisions in the North Coast Region Water Quality Control Plan (Basin Plan).
- 9) The project site may be visited and assessed by Regional Water Board staff to document compliance with this certification.
- 10) All activities and Best Management Practices will be conducted as described in this Permit and the application for this project.
- 11) This Order is not transferable. In the event of any change in control of ownership of land presently owned or controlled by the applicant, the applicant shall notify the successor-in-interest of the existence of this Order by letter and shall forward a copy of the letter to the Regional Water Board at the above address.

To discharge dredged or fill material under this Order, the successor-in-interest must send to the Regional Water Board Executive Officer a written request for transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, address, and telephone number of the person(s) responsible for contact with the Regional Water Board. The request must also describe any changes to the Project proposed by the successor-in-interest or confirm that the successor-in-interest intends to implement the Project as described in this Order.

Water Quality Certification: I hereby issue an order [23 CCR Subsection 3831(e)] certifying that any authorized discharge from the California Department of Boating and Waterways- Pedrazzini Boat Launch Project (Facility No. 1B06018WNHU) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act [33 USC Subsection 1341

(a)(1)], and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification" which requires compliance with all conditions of this Water Quality Certification.

Except as may be modified by any preceding conditions, all certification actions are contingent on: a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicant's project description, and b) compliance with all applicable requirements of the Regional Water Board's Water Quality Control Plan for the North Coast Region (Basin Plan).

Expiration: The authorization of this certification for any dredge and fill activities expires on July 10, 2011. Conditions and monitoring requirements outlined in this certification are not subject to the expiration date outlined above, and remain in full effect and are enforceable.

Please notify Diana Henriouille of our staff at (707) 576-2350 prior to construction (pursuant to Additional Condition No. 1 above) so that we can answer any public inquiries about the work.

Sincerely,

Catherine Kuhlman  
Executive Officer

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Enclosure: State Water Resources Control Board Order No. 2003-0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification"

cc: Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory Functions, 333 Market Street, San Francisco, CA 94599  
U.S. Army Corps of Engineers, District Engineer, P.O. Box 4863, Eureka, CA 95502  
Mr. Oscar Balaguer, 401 Program Manager, Water Quality Certification Unit, SWRCB, 1001 I Street, 15<sup>th</sup> Floor, Sacramento, CA 95814